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NAME:	FACSIMILE:	TELEPHONE:
MS Amendment USPTO	(571) 273-8300	(571) 272-7592

FROM: Rhonda Dunn for
Mark Schmidt**DATE:** September 27, 2006

Number of pages with cover page:	4	Client Ref: SP4290US/TA
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Preparer of this slip has confirmed that facsimile number given is correct: 12187/red3**Comments:**

Attorney Docket No.:	259052003600
Group Art Unit:	2627
Examiner:	C. Magee
Serial No.:	10/686,089
Filing Date:	October 14, 2003
Inventors:	Tatsunori YAMAMOTO et al.
Title:	OPTICAL PICKUP DEVICE
Document attached:	

- Transmittal (1 page)
- Response to Restriction/Election of Species Requirement (2 pages)

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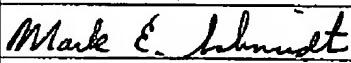
PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number 10/686,089
Total Number of Pages In This Submission 3	Filing Date October 14, 2003	
	First Named Inventor Tatsunori YAMAMOTO	
	Art Unit 2627	
	Examiner Name C. Magee	
	Attorney Docket Number 259052003600	

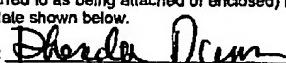
ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm Name	MORRISON & FOERSTER LLP (Customer No. 25226)
Signature	
Printed name	Mark E. Schmidt
Date	September 27, 2006
	Reg. No. 47,063

Client Ref.: SP4290US/TA

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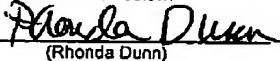
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Dated: September 27, 2006 Signature: 
(Rhonda Dunn)

Docket No.: 259052003600
(PATENT)

CLIENT REF.: SP4290US/TA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Tatsunori YAMAMOTO et al.

Application No.: 10/686,089

Confirmation No.: 6818

Filed: October 14, 2003

Art Unit: 2627

For: AN OPTICAL PICKUP DEVICE

Examiner: C. Magee

RESPONSE TO RESTRICTION/ELECTION OF SPECIES REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

This is in response to the non-final Office Action mailed August 30, 2006 (Paper No. 20060822), which set forth a Restriction/Election of Species Requirement for pending claims 1-15, and for which a response is due on September 30, 2006. This response is timely filed.

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Application No.: 10/686,089

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Docket No.: 259052003600

The Examiner has required election of a single disclosed species under 35 USC § 121 for prosecution on its merits. Election to one of the following patentably distinct species of the claimed inventions is required:

Species A: Figures 1-8.

Species B: Figures 9-13.

In response to the election of species requirement, Applicant hereby elects without traverse Species A (Figures 1-8). Claims 1-8 read on the subject matter of Species A. Examination on the merits of the elected subject matter is hereby respectfully requested.

As noted by the Examiner, upon the allowance of a generic claim, Applicant will be entitled to consideration of claims to additional species covered by the generic claim.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, Applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing Attorney Docket No. 259052003600. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: September 27, 2006

Respectfully submitted,

By Mark E. Schmidt
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